

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NAJIB SHOUCAIR,

Plaintiff,

vs.

MILLICENT WARREN AND
CORRECTIONS OFFICERS
DOE 1 AND DOE 2,

Defendants.

Case No. 07-12964

Anna Diggs Taylor
United States District Judge

Michael Hluchaniuk
United States Magistrate Judge

**ORDER GRANTING DEFENDANT'S *EX PARTE* MOTION
FOR LEAVE TO TAKE PLAINTIFF'S DEPOSITION (Dkt. 31)**

This matter is before the Court on Millicent Warren's *ex parte* motion for Michigan Department of Corrections (MDOC) to produce plaintiff for deposition, filed on October 21, 1008. (Dkt. 31). In support of her motion, defendant states that plaintiff is confined in a Michigan correctional facility and written court order is required to allow the deposition of a prisoner. This is consistent with Federal Rule of Civil Procedure 30(a)(2), which requires leave of court to take the deposition of an incarcerated individual and which should be permitted when consistent with the principles outlined in Rule 26(b)(2).

Having considered the motion, it is **GRANTED**. The MDOC is ordered to produce plaintiff for his deposition. The deposition of plaintiff must take place at a date and time agreed on by the parties and the correctional facility, on or before November 26, 2008.

IT IS SO ORDERED.

The parties to this action may object to and seek review of this Order, but are required to file any objections within 10 days of service as provided for in 28 U.S.C. § 636(b)(1) and Local Rule 72.1(d)(2). A party may not assign as error any defect in this Order to which timely objection was not made. Fed.R.Civ.P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. Pursuant to Local Rule 72.1(d)(2), objections must be served on this Magistrate Judge.

Date: October 22, 2008

s/Michael Hluchaniuk
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2008, I electronically filed the foregoing pleading with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Clifton B. Schneider, and I hereby certify that I have mailed by United States Postal Service the foregoing pleading to the plaintiff, a non-ECF participant, at the following addresses: Najib Shoucair, #252899, COOPER STREET CORRECTIONAL FACILITY, 3100 Cooper Street, Jackson, MI 49201.

s/Tammy M. Hallwood
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